

WORKERS' COMPENSATION APPEALS

The Baltimore County Circuit Court Law Library has several sources which *may* help you learn how to appeal your workers' compensation case. This guide is designed to point you to those sources. However, it is not an exhaustive list of all resources available on this topic. *This guide is not meant as legal advice, and the Law Library is not responsible for the accuracy or usefulness of this information or the utilization thereof.* By law (BOP §10-601, §10-101(h)) the Library staff can only provide access to legal information; the staff must never give legal advice or interpret legal materials. It would be best to consult an attorney for further assistance.

The Law – Read the exact "letter of the law." The following are found in the first aisle of our Maryland law section (around the corner to the right just after you enter the library):

- Annotated Code of Maryland
Labor & Employment Article § 9-737 to 9-750 (General provisions for appeals)

The Rules – The Maryland Rules of Procedure (found at the end of the Annotated Code of Maryland and at the Reference Desk) list the procedures that must be followed when performing certain legal actions:

- Md. Rules 7-201 to 7-210 (General procedures for appeals)

The Regulations – The Code of Maryland Regulations (known as COMAR is bound in red on the shelves next to the Annotated Code of Maryland) provide administrative guidelines or rules for the creation and/or operation of state agencies:

- COMAR 14.09.01.01 to 14.09.01.29 (Workers' Compensation Commission Procedural Regulations)

Additional Information, Forms, & Commentary – The following material may contain more in depth information on Workers' Compensation issues as well as forms and comments on those forms.

Hot Tips in Workers' Compensation. Ed. Theodore Cornblatt. Micpel, 2002. KFM 1542 .H83 2002. This resource contains links to helpful internet sites, example cases, and recent developments up to November 2002. More recent information may be found using the supplied internet links.

Maryland Civil Procedure Forms, 3rd. Ed. Robert D. Klein. Lexis, 2000. Volume 2, pages 200-1 to 200-15. KFM 1730 .A65 .D54. (NOTE: These generalized sample forms apply to appeals from all agency administrative decisions. This book is shelved in the Maryland law section.)

Maryland Workers' Compensation Handbook, 2nd Ed. Richard P. Gilpert and Robert L. Humphreys. Michie, 1993 with 2000 supp. (Chapter 17 deals with appeals). KFM 1542 .G54.

Pleading Causes of Action in Maryland, 2nd ed. KFM 1396 .S21. Also in the Maryland Section. Paul Mark Sandler & James K. Archibald. MICPEL, 1999. Section 14, pages 613 - 622. This book currently contains commentary and forms dealing with workers' compensation and appeals.

Practice Manual for the Maryland Lawyer. KFM 1738 .Z9.M3 1998. MICPEL, 1998. Chapter 14. This book currently includes commentary and forms about workers' compensation and appeals.

Understanding the AMA Guides in Workers' Compensation, 3rd. Ed. Steven Babitsky, et al. Aspen Publishing, 2002. KF 3615 .B32. This treatise focuses on the medical aspects of workers' compensation. It includes state specific information as well as references to state Codes.

Workers' Compensation Appeals. Benjamin T. Boscolo, et al. MICPEL, 1997. KFM 1542 .W67 1997. This book provides information on how to conduct a workers' compensation appeal.

Workers' Compensation Hearing 1999. Micpel, 1999. KFM 1542 .Z9 .W6 1999. This volume showcases a fictitious workers' compensation hearing including reports, sample documents, and a summary of the case.

Workers' Compensation Manual, 11th Ed. Theodore B. Cornblatt, et al. MICPEL, 2003. KFM 1542 .A62 .W67 2001. This very helpful volume provides detailed steps, sample documents, etc.

Electronic Resources

- Maryland Workers' Compensation Commission. Internet resource. <http://www.wcc.state.md.us/>
- Westlaw. Library Computer Center. Useful for finding annotated case law.
- LoisLaw. Library Computer Center. Useful for finding case law.

Resources for Laypeople

- Nolo's Encyclopedia of Everyday Law, 3rd Edition. Aisle 6. LLP KF387.N65. pages 4.12-17 contain a brief workers' compensation Question and Answer guide. Also, check index.

Professional Assistance – Find an attorney. While this Resource Guide can help you find some legal information, seeking professional assistance ensures that you accomplish your goals completely and properly. The following resources may be used to seek professional help:

- Word of mouth – The best method of finding professional legal assistance is by asking family, friends, and neighbors.
- Martindale-Hubbel Law Directory – REF KF 190 .M3 & Reference Desk. This multivolume directory lists and grades many lawyers. Lawyers are listed by the city or towns where they practice. The current volumes for Maryland and the District of Columbia are kept at the Reference Desk, while the complete set resides in aisle 4 of the reference section.
- Yellow Pages – Look under "Attorney" in your local Yellow Pages.